

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAI`I

CHAD BARRY BARNES,

Plaintiff,

v.

SEA HAWAI`I RAFTING, LLC;
et al.

Defendants.

Civ. No. 13-00002 ACK-WRP

ORDER DECIDING NO SANCTIONS

On October 6, 2021, Attorney Jay L. Friedheim filed his Response to Order to Show Cause Why Sanctions Should Not Be Imposed on Attorney Jay L. Friedheim. ECF No. 885. A hearing was held on October 19, 2021.

In his Response, Attorney Friedheim has acknowledged that his specified remarks were impudent, insolent, and wrong. He has apologized and asked for the Court's forgiveness. Further, he has expressed remorse for his conduct.

Attorney Friedheim states that he has taken the following proactive steps to better himself personally and as a lawyer. Among other steps, he has proposed to take CLE ethics programs. He has implemented a review policy in his office to eliminate any further inappropriate statements. The policy includes a careful review-by someone other than Attorney Friedheim-of all documents before submitting or filing them. In

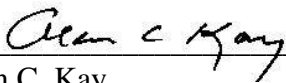
addition, Attorney Friedheim states he is currently working with an experienced therapist who formerly served on the Disciplinary Counsel Board panel, on self-improvement and to strengthen his impulse control and to intentionally tone down his innate sarcastic tendencies, among other things. The Court commends Attorney Friedheim for taking these steps to address his problems.

The Court finds that Attorney Friedheim's specified remarks were not made in bad faith and do not otherwise rise to the level of imposing sanctions. Accordingly, no sanctions are imposed.

IT IS SO ORDERED.

DATED: Honolulu, Hawai'i, October 21, 2021.





Alan C. Kay
Sr. United States District Judge

Barnes v. Sea Hawaii Rafting, LLC, Kris Henry, M/V Tehani, et al., Civ. No. 13-00002 ACK-RLP, Order Deciding No Sanctions.